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31 March 1953

MEMORANDUM FOR THE DIRECTOR OF CENTRAL INTELLIGENCE

SUBJECT: Proposals of Chinese Communists on Korean Truce Negotiations

1. On 28 March the Chinese Communists and North Korean Commanders accepted a long-standing UNC proposal for the exchange of sick and wounded prisoners of war, as provided in Article 109 of the Geneva Convention of 1949. Article 109 states expressly that sick and wounded prisoners should not be repatriated during hostilities against their will. The enemy's acceptance of the UNC proposal is contained in a letter to General Clark delivered to liaison officers at Panmunjom. The letter also requested a resumption of armistice negotiations which have been in abeyance since 8 October 1952. At the same time, the Chinese Communist Foreign Minister was quoted over the Peking Radio as saying that a "reasonable settlement of the question of exchanging sick and injured prisoners of war clearly has a very significant bearing upon the smooth settlement of the entire question of prisoners of war."

2. On 30 March Peking Radio broadcast another statement by Foreign Minister Chou which offered a "solution" to the POW question and the Korean armistice negotiations. Chou stated that "the Government of the People's Republic of China and the Government of the Democratic People's Republic of Korea...are prepared to take steps to eliminate the differences on this question [POW's] so as to bring about an armistice in Korea." Chou proposed that "both parties should undertake to repatriate immediately after the cessation of hostilities all those prisoners of war who insist on repatriation and to hand over the remaining prisoners of war to a neutral state so as to ensure a just solution to the question of their repatriation." Chou did not name the "neutral" nation, he did not set any time limit on the custody of the "neutral" nation over the POW's, and he did not say what disposition would be eventually made of POW's who did not desire repatriation. He did say that "We by no means relinquish the principle of release and

25X1

25X1

- 2 -

repatriation of war prisoners without delay after the cessation of hostilities...nor do we acknowledge the assertion of the United Nations Command that there are among the prisoners of war individuals who allegedly refuse repatriation."

3. The Chou proposal, as far as it goes, bears close resemblance to various earlier proposals of the UNC, and the principle of turning POW's over to a neutral body was contained in both the original Menon proposals and the Menon resolution as adopted by the UN. The Chou proposal bears closest resemblance to a UNC proposal made on 28 September 1952 and described in the following terms by Secretary Acheson before the UN on 24 October:

Another suggestion was that prisoners who would not resist repatriation would be expeditiously exchanged and that all prisoners who had indicated to the Unified Command that they would forcibly resist repatriation would be delivered to the demilitarized zone in small groups, where they would be entirely free from the military control of either side. There, they would be interviewed by representatives of a mutually agreed country, or countries not participating in the Korean hostilities, and they would be free to go either north or south as they choose.

The Chou proposal apparently does not bear close resemblance to Soviet and Polish proposals introduced last fall at the UN. The USSR proposal linked the POW issue with a political settlement and called for a commission of interested nations, including the USSR and the US, to sit down and settle all Korean issues. The Polish proposal called for an immediate cease-fire with the POW issue to be settled later in the political discussions.

4. The actual intent of the Communists is obscured by Chou's failure to develop his proposals to cover the following important points:

- a. The selection of a "neutral" power;
- b. Whether or not the Communists want an armistice, an immediate cease-fire, before settlement of the POW question;

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- 3 -

- c. What time limits, if any, are to be imposed on the neutral nations' custody of prisoners;
- d. The disposition of any prisoners who, after being in the custody of a neutral power, continue to refuse repatriation;
- e. Whether or not the armistice agreement is to contain a statement of principle concerning repatriation.

There have been several indications in the past that the Chinese Communists have felt that once POW's were turned over to a "neutral" power, and Communist officials were permitted free access to the prisoners, all prisoners would decide eventually to return to their homes. Conversely, the Unified Command has insisted, especially with reference to the original Menon proposals, that if POW's are turned over to a neutral body, some time limit must be placed on their custody. The US view has been that "it is not nonforcible repatriation if the only alternative to repatriation is indefinite, and perhaps permanent captivity."

5. It is not possible to estimate with confidence whether the Communists are now seeking a resolution of the POW question. It is, however, already clear that they are not prepared to accept any agreement which affirms the principle of voluntary repatriation. We also believe that they almost certainly will not accept an agreement on the POW issue which does not offer them an opportunity to exert pressure on Communist prisoners which they believe will insure the eventual return of substantially all Communist prisoners.

6. We believe that if the Communists do now desire to reach an armistice in Korea, they are motivated by global rather than local considerations.

Acting Assistant Director
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